



UNITED STATES COURT  
OF FEDERAL CLAIMS

# 18<sup>th</sup> Judicial CONFERENCE

NOVEMBER 3 & 4, 2005

Hyatt Regency - Penn's Landing  
Philadelphia, Pennsylvania

## DAMAGES AGAINST THE SOVEREIGN: THEORY AND PRACTICE

THURSDAY, NOVEMBER 3, 2005

3:30 p.m. to 4:00 p.m.    **REGISTRATION**

4:15 p.m. to 5:30 p.m.    **ASK THE JUDGES**

Moderator: Steven Frahm, President, CFC Bar Association  
Panelists: The Honorable Edward J. Damich  
The Honorable Marian Blank Horn  
The Honorable Charles F. Lettow  
The Honorable Loren A. Smith  
The Honorable Mary Ellen Coster Williams  
The Honorable Victor J. Wolski

6:30 p.m.    **RECEPTION AND DINNER**

The National Constitution Center  
525 Arch Street, Philadelphia, PA  
(Bus Transportation Provided)

**Guest Speaker:** Kermit Roosevelt,  
Professor, University of Pennsylvania Law  
School; Author, *In the Shadow of the Law*

## FRIDAY, NOVEMBER 4, 2005

8:00 a.m. to 8:30 a.m. **REGISTRATION & CONTINENTAL BREAKFAST**

8:30 a.m. to 8:45 a.m. **WELCOME & STATE OF THE COURT**

The Honorable Edward J. Damich  
Chief Judge, U.S. Court of Federal Claims

8:45 a.m. to 10:15 a.m. **GENERAL SESSION—Theories of Recovery:**  
**Restitution under the new American Law Institute approach.**  
Professor Kull  
**Damages from an Economist's Perspective.**  
Professor Goldberg, Mr. Carron

Moderator: The Honorable Nancy B. Firestone, U.S. Court of Federal Claims  
Panelists: Professor Andrew Kull, Boston University School of Law  
Victor Goldberg, Co-Director, Center for Law & Economic Studies,  
Columbia University School of Law  
Andrew S. Carron, Senior Vice President, National Economic Associates, Inc.

10:15 a.m. to 10:30 a.m. **BREAK**

10:30 a.m. to 11:45 a.m. **GENERAL SESSION—Practicum on Damages:**  
**Discussion of Issues Affecting the Assessment and**  
**Calculation of Damages from the Expert's Perspective.**

Moderator: The Honorable Francis M. Allegra, U.S. Court of Federal Claims  
Panelists: David Lasater, FTI Consulting, Inc.  
Bradley J. Preber, Grant Thornton LLP  
William Wade, Energy and Water Economics

12:00 p.m. to 1:15 p.m. **LUNCH—Special Guest Speaker: The Honorable Dick Thornburgh**

1:15 p.m. to 1:45 p.m. **GENERAL SESSION—Iraq: A Lawyer's Perspective.**  
**The role of civilian public servants and,**  
**particularly, the contributions of American lawyers to the**  
**reconstruction of the emerging state of Iraq.**

Moderator: John Euler, Past President, CFC Bar Association;  
Office of General Counsel to Coalition Provisional Authority in Iraq  
Panelists: Myriah Jordan, Deputy General Counsel, Office of Special  
Inspector General for Iraq Reconstruction  
Corin Stone, Deputy General Counsel, Office of the  
Director, National Intelligence  
John Vardman, Special Assistant to General Counsel,  
Department of the Treasury

1:45 p.m. to 2:00 p.m. **BREAK**

2:00 p.m. to 3:15 p.m. **BREAKOUT SESSIONS**

**"BIG CASES": How Large Cases Are (or Are Not)**  
**Affecting Practice and Procedure before the Court.**

Issues include: do “big” cases require or justify departure from normal rules of document production, the taking of depositions, or other discovery procedures; what are the limitations on “lead case” procedures; and should special trial procedures be implemented?

Moderator: The Honorable Christine O.C. Miller, U.S. Court of Federal Claims  
Panelists: Brad Fagg, Morgan Lewis & Bockius  
Harold D. Lester, Department of Justice  
William Ryan, Department of Justice  
Edward Sisson, Arnold & Porter

#### **PROPERTY VALUATION:**

##### **Discussion of Common Valuation Issues.**

Topics include: Use of different valuation approaches; determination of highest and best use; evaluating unusual property interests including temporary interests; and other valuation issues arising in litigation.

Moderator: The Honorable Emily C. Hewitt, U.S. Court of Federal Claims  
Panelists: William C. Harvey, Harvey & Associates, Inc.  
Steven Herzog, President, The Herzog Group, Inc.  
Christopher Lattanzi, President, Micon International, Ltd.  
Gary Trugman, President, Trugman Valuation Associates

#### **PICKING THE RIGHT EXPERT:**

##### **Practical Issues in Selecting and Working with Experts.**

Topics include: criteria for selection; ethical considerations; dealing with first-time testifying experts; what to do when problems arise.

Moderator: The Honorable Eric G. Bruggink, U.S. Court of Federal Claims  
Panelists: The Honorable John Wiley, Los Angeles Superior Court  
Jeanne Davidson, Department of Justice  
David Gustafson, Department of Justice  
Dan Marino, Sutherland Asbill & Brennan LLP  
Nancie Marzulla, Marzulla & Marzulla

#### **VACCINE DAMAGES:**

##### **Creative Approaches for Determining Reasonable Compensation.**

Moderator: Jerry P. Roscoe, Owner/Neutral, JAMS, Inc.  
Panelists: Lawrence H. Curtis, General Counsel, Mass Tort Settlements Services  
Roberta Hurley, Life Care Planner, Hurley & Econs Consulting  
Suzanne Labansky, Life Care Planner

**3:15 p.m. to 3:30 p.m. BREAK**

**3:30 p.m. to 4:30 p.m. GENERAL SESSION—ETHICS: Civil Litigation Against the Government and the Model Rules of Professional Conduct.**  
Professor Cathy Lanctot, Villanova University School of Law

*Dates: November 3-4, 2005*

*Place: Hyatt Regency at Penn's Landing, Philadelphia, PA*

## Registration Information

The registration fee includes admission to all conference sessions, conference materials, meals and receptions.

### **FEES:**

**Registrations *must be postmarked by October 10, 2005:***

#### **Government Attorneys:**

CFC Bar Assn. Member\*: \$190.00 • Non-CFC Bar Assn. Member: \$215.00

#### **Private Attorneys & Others:**

CFC Bar Assn. Member\*: \$240.00 • Non-CFC Bar Assn. Member: \$265.00

**\*Bar Assn. Membership is not the same as admission to the Bar of the Court; you must belong to the Bar Association and have paid your annual dues.**

A **late** fee of \$50.00 **must** be added for all registrations **postmarked after** October 10, 2005.

Please submit a separate registration form for each attendee. Firms may submit one check to cover more than one attendee. You may fax your registration to 202-637-3593.

Checks should be made payable to: U.S. Court of Federal Claims Bar Association (CFCBA).

**Hotel arrangements** should be made directly with the Hyatt Regency at Penn's Landing in Philadelphia: 215-928-1234, 800-233-1234, or on Hyatt.com. Please mention the **2005 Judicial Conference**. The following rates have been confirmed for this event:

**Single Occupancy: \$159.00 • Double Occupancy: \$159.00 • Triple Occupancy: \$184.00**

Government Per Diem Single Occupancy: \$116.00 (or rate prevailing at time of Conference)

Government Per Diem Double Occupancy: \$141.00 (or rate prevailing at time of Conference)

Registration is not complete until full payment has been received. Government training vouchers are welcome but must be completed in full by requesting agency prior to submission. Please contact your government training official if you have any questions.

**Cancellations:** Cancellations must be in writing and received by October 3, 2005. There will be no refunds for cancellations requested after October 3, 2005.

**CLE Credits are being requested for all states requiring CLE.**

Please visit our website ([www.uscfc.uscourts.gov](http://www.uscfc.uscourts.gov)) for more information and to download the registration form.

# UNITED STATES COURT OF FEDERAL CLAIMS

## *18th Judicial Conference Registration Form*

Please fax the completed Registration Form to 202-637-3593. Or, if paying by check or voucher, detach and return completed Registration Form along with payment to: CFC Bar Association, Sutherland Asbill & Brennan, 1275 Pennsylvania Avenue, NW Washington, D.C.  
For planning purposes please fill out completely.

Name: \_\_\_\_\_  
(Last) (First) (M.I.)

Home Phone: \_\_\_\_\_

Business Phone: \_\_\_\_\_

Place of Employment: \_\_\_\_\_

Address: \_\_\_\_\_  
(Street Address) (City) (State) (Zip Code)

Email Address: \_\_\_\_\_

### **Registration Fees:**

Government Attorney CFC Bar Assn. Member*:	\$190.00
Government Attorney Non-CFC Bar Assn. Member:	\$215.00
Private Attorney CFC Bar Assn. Member*:	\$240.00
Private Attorney Non-CFC Bar Assn. Member:	\$265.00
Spouse/Guest of Members, Reception & Dinner Only:	\$80.00
Spouse/Guest of Non-Members, Reception & Dinner Only:	\$90.00

**\*Bar Assn. Membership is not the same as admission to the Bar of the Court;  
you must belong to the Bar Association and have paid your annual dues.**

Registration Amount: \$ \_\_\_\_\_

**A late fee of \$50.00 must be added for registrations received after October 10, 2005**

Method of Payment: ☐ Credit Card ☐ Check ☐ Training Voucher

Credit Card Number: \_\_\_\_\_ Signature: \_\_\_\_\_

Expiration Date: \_\_\_\_\_ ☐ Mastercard ☐ Visa

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***Detach and return completed Registration Form along with Payment to:***

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Sutherland Asbill & Brennan  
Attn: Sandy LaJocono, 1275 Pennsylvania Avenue, NW  
Washington, D.C. 20004-2415

### **Make Checks Payable to: CFC Bar Association**

To download registration form, go to the court's website at [www.uscfc.uscourts](http://www.uscfc.uscourts) and click on Judicial Conference link. You may fax your registration to 202-637-3593.